

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

LARAY UZOCHUKWU,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-11-1512-HE
	)	
JUSTIN JONES, <i>et al.</i> ,	)	
	)	
Defendants.	)	


**ORDER**

Plaintiff Larry Uzochukwu, a state prisoner appearing *pro se*, filed this § 1983 action alleging he was subject to excessive force, denied medical care and possibly retaliated against in violation of his constitutional rights while incarcerated. Consistent with 28 U.S.C. §636(b)(1)(B), the matter was referred to Magistrate Judge Robert E. Bacharach, who has recommended that the motion to dismiss filed by defendant Justin Jones, the Director of the Oklahoma Department of Corrections be granted.

Plaintiff failed to object to the magistrate judge's Report and Recommendation and thereby waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts Magistrate Judge Bacharach's Report and Recommendation, **GRANTS** defendant Jones's motion [Doc. #30] and **DISMISSES** plaintiff's claims against defendant Jones without prejudice.

**IT IS SO ORDERED.**

Dated this 14th day of January, 2013.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE